

IN THE UNITED STATE PATENT AND TRADEMARK OFFICE

**COMBINED DECLARATION AND POWER OF
ATTORNEY FOR UTILITY PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**ACQUISITION OF SYNCHRONIZATION IN A SPREAD SPECTRUM
COMMUNICATIONS TRANSCEIVER**

X the specification of which is attached hereto.

____ was filed on _____ as United States Application Number or PCT International Application Number _____ and was amended on _____.(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 a copy of which is attached hereto.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this applications is not disclosed in the prior United States or PCT international application in the manner provided by the first

paragraph of 35 U.S.C. 112, I acknowledge that duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Number	Parent Filing Date	Parent Patent Number (if applicable)

As a named inventor, I hereby appoint the practitioners associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Customer Number: 07278

Direct all correspondence to Peter Ludwig at telephone number 212.527.7770.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature of First or Sole Inventor: x Dan R Date: 10/8/01
Name: Dan Raphaeli
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Signature of Second Inventor: x Oren Kaufman K Date: 12/8/01
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Signature of Third Inventor: x Evgenny Bassin Date: 12/8/01
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Signature of Fourth Inventor: x Boris Zarud B Date: 12/8/01
Name: Boris Zarud
Residence: 25 Rav Herzog St., Beer Sheva, Israel
PO Address:
Citizenship: Israel

TITLE 37 CODE OF FEDERAL REGULATIONS §1.56
DUTY TO DISCLOSE INFORMATION MATERIAL TO PATENTABILITY

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98.¹ However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) it establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) it refutes, or is inconsistent with, a position the applicant takes in:
 - (i) opposing an argument of unpatentability relied on by the Office; or
 - (ii) asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) each inventor named in the application;
- (2) each attorney or agent who prepares or prosecutes the application; and
- (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

¹ §§1.97(b)-(d) and 1.98 relate to the timing and manner in which information is to be submitted to the Office.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Dan Raphaeli et al.

Serial No.: 09/933,065

Art Unit: 2631

Confirmation No.: 6706

Filed: August 20, 2001

Examiner: Tony Al Beshawi

For: **ACQUISITION OF SYNCHRONIZATION IN A SPREAD SPECTRUM
COMMUNICATIONS TRANSCEIVER**

Assistant Commissioner for Patents
Washington, D. C. 20231

**REVOCATION AND SUBSTITUTE POWER OF ATTORNEY
AND CHANGE OF CORRESPONDENCE ADDRESS**

Sir:

Itran Communications Ltd., hereby revokes all prior powers of attorney or authorizations of agent given and appoints the practitioners at

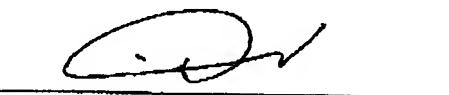
Customer Number **25937**

as its attorney(s) and/or agents(s) to prosecute the above-identified patent application with full power of substitution, association and revocation and to transact all business in the Patent and Trademark Office connected herewith. Please change the correspondence address for the above-identified application to that associated with the above-indicated Customer Number and direct all telephone calls to Howard Zaretsky at 623-362-2585.

Itran Communications Ltd. is the assignee of record of the entire interest of the above-identified patent application as recorded in the U.S. Patent and Trademark Office and indicated in a Statement under 37 CFR 3.73(b) enclosed herewith.

ITRAN COMMUNICATIONS LTD.

Date: 13.03.03



Avner Matmor
President

Attorney Docket No. 12407.0035; 2681/0713

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STATEMENT UNDER 37 CFR 3.73(b)

Ittran Communications Ltd., a Israel corporation, states that it is the assignee of the entire right, title and interest in the patent application/patent identified above by virtue of:

An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 12097, Frame 549, or for which a copy thereof is attached.

Copies of assignments or other documents in the chain of title are attached.

[Note: A separate copy (i.e. the original assignment document or a true copy of the original document) must be submitted to the Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the US PTO. See MPEP 302.08]

The undersigned is empowered to sign this document on behalf of the assignee.

Dated: 13.03.03



Avner Marmor
President